

§ 180.1281

antimicrobial in or on all food commodities when the residues are the result of the lawful application of a food contact surface sanitizer containing PHMB at 550 parts per million (ppm).

[73 FR 1517, Jan. 9, 2008]

§ 180.1281 S-Absciscic Acid, (S)-5-(1-hydroxy-2,6,6-trimethyl-4-oxo-1-cyclohex-2-enyl)-3-methyl-penta-(2Z,4E)-dienoic Acid; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of S-Absciscic Acid in or on all food commodities when applied or used preharvest as a plant regulator.

[75 FR 11744, Mar. 12, 2010]

§ 180.1282 Bacillus firmus I-1582; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established in/on all food/feed commodities, for residues of *Bacillus firmus* I-1582 when used as a soil application or seed treatment.

[73 FR 25528, May 7, 2008]

§ 180.1283 (Z)-7,8-epoxy-2-methyloctadecane (Disparlure); exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of (Z)-7,8-epoxy-2-methyloctadecane on all food and feed crops that occur when it is used to treat trees, shrubs, and pastures and such use results in unintentional spray and drift to non-target vegetation including non-food, food, and feed crops. This active ingredient is also known as Disparlure.

[73 FR 33714, June 13, 2008]

§ 180.1284 Ammonium salts of higher fatty acids (C₈-C₁₈ saturated; C₈-C₁₂ unsaturated); exemption from the requirement of a tolerance.

Ammonium salts of C₈-C₁₈ saturated and C₈-C₁₂ unsaturated higher fatty acids are exempted from the requirement of a tolerance for residues in or on all food commodities when used in

40 CFR Ch. I (7–1–10 Edition)

accordance with good agricultural practice.

[74 FR 47457, Sept. 16, 2009]

§ 180.1285 Polyoxin D zinc salt; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for the residues of the biochemical pesticide polyoxin D zinc when used as a fungicide on almonds, cucurbit vegetables, fruiting vegetables, ginseng, grapes, pistachios, pome fruits, potatoes and strawberries.

[73 FR 69564, Nov. 19, 2008]

§ 180.1287 Extract of *Chenopodium ambrosioides* near *ambrosioides*; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for the residues of Extract of *Chenopodium ambrosioides* near *ambrosioides* when used as an insecticide/acaricide on all food commodities.

[74 FR 634, Jan. 7, 2009]

§ 180.1288 Tristyrylphenol ethoxylates; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of poly(oxy-1,2-ethanediyl), α -[2,4,6-tris(1-phenylethyl)phenyl]- ω -hydroxy-, (CAS Reg. No. 70559-25-0) and poly(oxy-1,2-ethanediyl), α -[tris(1-phenylethyl)phenyl]- ω -hydroxy-, (CAS Reg. No. 99734-09-5) on citrus crops, group 10, when used as inert ingredients under the following conditions:

- (a) They are applied post-harvest;
- (b) They are used as inert ingredients in pesticide formulations with azoxystrobin and fludioxonil; and
- (c) They constitute no more than 10.0% of the formulated pesticide product.

[74 FR 12625, Mar. 25, 2009]

§ 180.1289 *Candida oleophila* Strain O; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for the residues of the microbial pesticide, *Candida oleophila* Strain O, on apples

Environmental Protection Agency

§ 180.2010

and pears when applied/used as a post-harvest biofungicide.

[74 FR 22464, May 13, 2009]

§ 180.1290 *Pasteuria usgae*; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of *Pasteuria usgae* in or on all food commodities when applied preharvest and used as a nematicide in accordance with good agricultural practices.

[75 FR 37737, June 30, 2010]

§ 180.1291 Cold pressed neem oil; exemption from the requirement of a tolerance.

Residues of the biochemical pesticide cold pressed neem oil are exempt from the requirement of a tolerance in or on all food commodities.

[74 FR 55463, Oct. 28, 2009]

§ 180.1292 *Ulocladium oudemansii* (U3 Strain); exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established in/on all food commodities for residues of *Ulocladium oudemansii* (U3 Strain), when applied or used pre-harvest-only, excluding applications made post-harvest or to processed commodities, as a microbial fungicide in accordance with good agricultural practices.

[74 FR 55458, Oct. 28, 2009]

§ 180.1293 *Trichoderma gamsii* strain ICC 080; exemption from the requirement of a tolerance.

Trichoderma gamsii strain ICC 080 is exempted from the requirement of a tolerance in or on all food and feed commodities when applied preharvest and used in accordance with good agricultural practices.

[75 FR 8507, Feb. 25, 2010]

§ 180.1294 *Trichoderma asperellum* strain ICC 012; exemption from the requirement of a tolerance.

Trichoderma asperellum strain ICC 012 is exempted from the requirement of a tolerance in or on all food and feed

commodities when applied pre-harvest and used in accordance with good agricultural practices.

[75 FR 9530, Mar. 3, 2010]

§ 180.1295 Laminarin; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of laminarin in or on all food commodities when laminarin is applied preharvest.

[75 FR 8256, Feb. 24, 2010]

Subpart E—Pesticide Chemicals Not Requiring a Tolerance or an Exemption From a Tolerance

SOURCE: 66 FR 66772, Dec. 27, 2001, unless otherwise noted.

§ 180.2000 Scope.

This subpart sets forth the pesticide chemicals for use in agricultural or other food-related settings for which neither a tolerance nor an exemption is deemed to be needed by EPA.

§ 180.2003 Definitions.

(a) Food uses are the uses of a pesticide chemical that are likely to yield residues in food or feed crops, meat, milk, poultry or egg.

(b) Non-food uses are those uses that are not likely to yield residues in food or feed crops, meat, milk, poultry or egg.

[66 FR 66772, Dec. 27, 2001, as amended at 73 FR 60158, Oct. 10, 2008]

§ 180.2010 Threshold of regulation determinations.

The following pesticide chemical uses on food or feed, or food or feed crops, do not need a tolerance or exemption from the requirement of a tolerance, and may be registered under the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136 *et seq.*, without obtaining such tolerance or exemption, based on EPA's determination that the uses are below the threshold of regulation.